



**IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE.**

\*\*\*

FREDERICK O. SILVER.  
Plaintiff,  
vs.

CASE NO: 1:21-cv-01630-RGA

BARCLAYS BANK DELAWARE,  
BARRY RODRIGUES - CEO, CAPITAL  
MANAGEMENT SERVICES, LP, DANIEL  
ABADIR, JEFFREY A. HAUSER, PAUL R.  
HUNZIKER, JR., KAREN KRASKA, JESSICA C  
WATT, CLAUDIA ROARK: SENIOR  
PARALEGAL, HEAD OF USCB LITIGATION  
Defendants.

**HEARING REQUESTED.**

**MOTION.**

TO: The Honorable Richard G. Andrews

**PLAINTIFF'S MOTION TO TAKE JUDICIAL NOTICE UNDER FEDERAL RULES OF  
EVIDENCE RULE 201.**

Plaintiff, files this Motion To Take Judicial Notice Under Federal Rules Of Evidence Rule 201. I, Frederick-Omoyuma: Silver, I am the Plaintiff in this Case, I am submitting this Judicial Notice before this Court.

This is a suit against the named defendants for the for Violations of the Law, but not limited to The Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

That attached to this Notice is a copy of Plaintiffs' credit reported generated on 4<sup>th</sup> day of December 2022, shows that the Defendants are reporting this inaccurate, false, and misleading credit report to the three major credit bureaus.

**ARGUMENT**

A Court may take judicial notice of adjudicative facts that are not subject to reasonable dispute where (1) they are generally known within the Court's territorial jurisdiction; or

(2) they can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. See FED. R. EVID. 201(a)-(b). The facts surrounding this case, including those about which Plaintiff seek Judicial Notice, meet the test enunciated in Rule of Evidence 201

**Meet And Confer Requirement**

Before filing this Document, Plaintiff did not Confer with Jessica C Watt as Plaintiff believes that Jessica C Watt, is acting without authority from Defendant's, Barclays Bank Delaware and Barry Rodrigues, Strict proof showing on the Record that defendants have employed or authorized Jessica C Watt, to defend this lawsuit on their behalf is demanded.

Respectfully submitted this Dated: this 4<sup>th</sup> Day of December 2022.

**By: /s/ Frederick O. Silver**

*Frederick O. Silver*

Email: ASCLV1@gmail.com

**CERTIFICATE OF SERVICE.**

I hereby certify that on the 4<sup>th</sup> Day of December 2022 a copy of the Plaintiff Motion to take Judicial Notice was filed through the CM/ECF filing system of The U.S. District Court for the District of Delaware which will be sent electronically to the registered participants as identified and the Clerk of Court.

1. Jessica C. Watt (#5932)

Ballard Spahr LLP, 919 N. Market Street,

11th Floor Wilmington, DE 19801-3034

Phone: (302) 252-4465 Facsimile: (302) 252-4466

Dated this 26<sup>th</sup> day of July 2022.

**By: /S/ Frederick O. Silver**

*Frederick O. Silver*

Email: ASCLV1@gmail.com

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# EXHIBIT

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# EXHIBIT

This item was updated from our processing of your dispute in Oct 2022.

## BARCLAYS BANK DELAWARE

Potentially Negative



### Account Info

Account Name	BARCLAYS BANK DELAWARE	Balance	\$968
Account Number	000330XXXXXXXXX	Balance Updated	12/01/2022
Account Type	Credit card	Recent Payment	\$0
Responsibility	Individual	Monthly Payment	\$0
Date Opened	05/25/2019	Credit Limit	\$700
Status	Account charged off. \$700 written off. \$968 past due as of Dec 2022.	Highest Balance	\$968
Status Updated	Mar 2020	Terms	NA
		On Record Until	May 2026



### Payment History

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2022	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
2021	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
2020	150	180	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
2019	—	—	—	—	—	—	✓	✓	✓	60	90	120

✓ Current on payments

60 Past due 60 days

90 Past due 90 days

120 Past due 120 days

150 Past due 150 days

180 Past due 180 days

CO Charge off

### Payment history guide

Charge Off as of Dec 2022, Nov 2022, Oct 2022, Sep 2022, Aug 2022, Jul 2022, Jun 2022, May 2022, Apr 2022, Mar 2022, Feb 2022, Jan 2022, Dec 2021, Nov 2021, Oct 2021, Sep 2021, Aug 2021, Jul 2021, Jun 2021, May 2021, Apr 2021, Mar 2021, Feb 2021, Jan 2021, Dec 2020, Nov 2020, Oct 2020, Sep 2020, Aug 2020, Jul 2020, Jun 2020, May 2020, Apr 2020, Mar 2020, Feb 2020

180 days past due as of Jan 2020

150 days past due as of Dec 2019

120 days past due as of Nov 2019

90 days past due as of Oct 2019

60 days past due as of Sep 2019



### Balance Histories

Date	Balance	Scheduled Payment	Paid
Nov 2022	\$968	\$0	\$0 on 8/27/2019

Oct 2022	\$968	\$0	\$0 on 8/27/2019
Sep 2022	\$968	\$0	\$0 on 8/27/2019
Aug 2022	\$968	\$0	\$0 on 8/27/2019
Jul 2022	\$968	\$0	\$0 on 8/27/2019
Jun 2022	\$968	\$0	\$0 on 8/27/2019
May 2022	\$968	\$0	\$0 on 8/27/2019
Apr 2022	\$968	\$0	\$0 on 8/27/2019
Mar 2022	\$968	\$0	\$0 on 8/27/2019
Feb 2022	\$968	\$0	\$0 on 8/27/2019
Jan 2022	\$968	\$0	\$0 on 8/27/2019
Dec 2021	\$968	\$0	\$0 on 8/27/2019
Nov 2021	\$968	\$0	\$0 on 8/27/2019
Oct 2021	\$968	\$0	\$0 on 8/27/2019
Sep 2021	\$968	\$0	\$0 on 8/27/2019
Aug 2021	\$968	\$0	\$0 on 8/27/2019
Jul 2021	\$968	\$0	\$0 on 8/27/2019
Jun 2021	\$968	\$0	\$0 on 8/27/2019
May 2021	\$968	\$0	\$0 on 8/27/2019
Apr 2021	\$968	\$0	\$0 on 8/27/2019
Mar 2021	\$968	\$0	\$0 on 8/27/2019
Feb 2021	\$968	\$0	\$0 on 8/27/2019
Jan 2021	\$968	\$0	\$0 on 8/27/2019
Dec 2020	\$968	\$0	\$0 on 8/27/2019

### **Additional info**

Between Dec 2020 and Nov 2022, your credit limit/high balance was \$700



## Contact Info

Address

PO BOX 8803,  
WILMINGTON DE 19899

Phone Number

(888) 232-0780



## Comment

### Current:

Account information disputed by consumer (Meets requirement of the Fair Credit Reporting Act).

Account closed at credit grantor's request.

### Previous:

Account closed at credit grantor's request.

Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date

Account information disputed by consumer (Meets requirement of the Fair Credit Reporting Act).

Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date, Invalid date



## Your Statement

LITIGATION PENDING.



## Reinvestigation Info

This item was updated from our processing of your dispute in Jun 2022.





# TransUnion Credit Report

Check your credit report for signs of theft, fraud, or error.

Updated: November 28, 2022

[Back to Credit Summary \(/report/credit-summary\)](/report/credit-summary)

## Accounts With a Negative Pay Status ⓘ

LENDER  
TYPE

BALANCE



BARCLAYS BANK DELAWARE

COLLECTION/CHARGE OFF

Credit Cards

\$968 ^

## Status

Date Reported

Nov 01, 2022

Payment Status

Collection/Chargeoff

Account Status

Derogatory

Amount Past Due

\$968



## Account Details

<b>Account Type</b>	Credit Card
<b>Responsibility</b>	Individual
<b>Credit Limit</b>	\$700
<b>Credit Used</b>	138%
<b>Highest Balance</b>	\$968
<b>Date Account Opened</b>	May 25, 2019
<b>Date Account Closed</b>	Sep 03, 2019

## Payment Details

<b>Amount Past Due</b>	\$968
<b>Date of Last Payment</b>	Aug 27, 2019
<b>Monthly Payment</b>	\$0
<b>Payment Frequency</b>	Not Reported
<b>Worst Pay Status</b>	Unknown

## Lender Info

P.O. Box 8803  
Wilmington, DE 19899

(888) 232-0780

## Remarks

Charged off as bad debt. Account information disputed by consumer, meets FCRA requirements.

See something wrong? (</see-something-wrong-accounts>)